

PATENT

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a secondary arm mounted on the primary arm for generally longitudinal movement with respect thereto, and

a suture pushing member having an opening in its distal portion for receiving a suture, the suture pushing member pivotally connected to the primary arm near the distal end thereof and connected to the secondary arm to be pivoted from a retracted position to a laterally projected position responsive to movement of the secondary arm longitudinally of the primary arm and to thereby push a portion of a suture carried by the aperture from the first hole to a second hole in the bone; and

suture-retrieving means extendable through the second hole and having a suture engaging element at its distal end for retrieving a portion of the suture from the second hole.

(3) 8. The instrument set of claim ~~7~~ wherein the suture pushing member is pivotally connected at one end to the secondary arm and at an intermediate point to the primary arm.

(3) 9. An instrument set for use in pushing a suture from a first hole in bone to a second hole in bone, the instrument set comprising:

a cannula having a tissue engaging end;

a suture pusher including

a primary arm having a distal end insertable through the cannula and through a first hole in bone,

a secondary arm mounted on the primary arm for generally longitudinal movement with respect thereto, and

a suture pushing member having an opening at its distal portion for receiving a suture, the suture pushing member pivotally connected to the primary arm near the distal end thereof and connected to the secondary arm to be pivoted from a retracted position to a laterally projected position responsive to movement of the secondary arm longitudinally of the primary arm and to thereby push a portion of a suture carried by the aperture from the first hole to a second hole in the bone; and

B) suture-retrieving means extendable through the cannula and the second hole and having a suture engaging element at its distal end for retrieving a portion of the suture from the second hole.

4) 10. The instrument set of claim 9 wherein the tissue engaging end of the cannula includes at least one tooth engageable with tissue when pressed into contact with tissue.

11) 11. The instrument set of claim 9 wherein the cannula is a drill guide having a pair of parallel bores.

6) 12. The instrument set of claim 11 wherein the tissue engaging end of the drill guide includes at least one tooth engageable with tissue when pressed into contact with tissue.

13. An instrument set for attaching a suture to bone under soft tissue comprising:

a drill guide having at least two generally parallel bores,
a suture pusher having a straight section extendable
through a first one of the bores in the drill guide and a suture
carrying member at the distal end of the suture pusher, the suture
carrying member pivotable to push a suture loop through soft bone
material between first and second parallel holes in the bone, the
suture carrying member including an opening for receiving a suture,
an actuator positioned at the proximal end of the suture
pusher, for pivoting the suture carrying member from the first to the
second of the two parallel holes while the suture pusher is received
in the drill guide, and
~~a suture-retriever extendable through a second one of the~~
bores in the drill guide, for retrieving a portion of the suture from the
second of the two parallel holes in the bone.

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14. The instrument set of claim ~~13~~ further comprising a
cannula capable of receiving the drill guide.--

REMARKS

Claims 1 - 2 and 6 (Claim 6 was not examined but appears at
Page 8 of the application) have been cancelled. New Claims 7 - 14
are added. Claims 7 - 14 are now pending.

In the Official Action, Claims 1 - 2 were rejected as being
anticipated by Pingleton et al.

Claims 7, 8 and Claims 13-14 recite an instrument set which
includes a suture pusher having a suture pusher member with an
opening formed at its distal portion for receiving a suture, which
further includes a suture retrieving means. Claims 9 - 12 also recite
an instrument set which includes a suture pushing member with a

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